

**RULES
OF
THE TENNESSEE HIGHER EDUCATION COMMISSION**

CHAPTER 1540-1-4

PUBLIC HIGHER EDUCATION FEE WAIVERS FOR STATE EMPLOYEES

NEW RULES

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1540-1-4-.01 DEFINITIONS.

- (1) Course: Undergraduate or graduate credit courses at a state supported college or university, to certificate or diploma credit courses at the technology centers, or any course offered by the TFLI.
- (2) Full-time employee of the State of Tennessee: Employee of the executive, judicial, or legislative branches of Tennessee state government:
 - (a) classified as “full-time” and scheduled to work one thousand nine hundred and fifty (1,950) hours or more per fiscal year; or
 - (b) employees, regardless of classification, and scheduled to work one thousand six hundred (1,600) hours per fiscal year and who receive employment benefits provided to all full-time employees.
- (3) Member of the General Assembly: Individual currently holding office as a member of either the House of Representatives or Senate and elected pursuant to Article II of the Tennessee Constitution.
- (4) State supported college or university or technology center or Institution: Any institution operated by the University of Tennessee or the Tennessee Board of Regents which offers courses of instruction beyond the high school level.
- (5) Tennessee Foreign Language Institute or TFLI: Foreign language institute established by Tennessee Code Annotated Title 49, Chapter 50, Part 13.
- (6) Term: The time frame in which a course is offered by the Institution, and for purposes of these rules includes Fall, Spring, Summer and special session terms, as defined by the individual universities and colleges. It is the intent of these rules that over the course of special session terms and the two Summer semester terms an employee or member of the General Assembly will be limited to no more than two courses, the instruction periods of which shall not overlap. For the technology centers and the TFLI, “term” refers to a three month reporting period. The four terms are:

July 1 - September 30
October 1 - December 31
January 1 - March 31
April 1 - June 30
- (7) Fees that are waived by this program are defined as follows:

(Rule 1540-1-4-.01 (continued))

- (a) Debt service fee: A fee charged to students for the retirement of indebtedness that may be included in the maintenance fee charges.
- (b) Maintenance fee: A fee charged to students enrolled in credit courses. It is an enrollment or registration fee and is calculated based on the number of student credit hours for which the student enrolls.
- (c) Registration fee: Maintenance fee as described above.
- (d) Student activity fee: A fee charged to students in addition to tuition and maintenance fees that is based on the credit hour enrollment of the student. Some institutions include the student activity fee in the maintenance fee rather than as a separate charge. The student activity fee supports health services, athletics, student newspapers and social and cultural events.
- (e) Tuition charge: A fee charged to students classified as non-residents in addition to the maintenance fee.

Authority: T.C.A. § 8-50-114. **Administrative History:** Original rule filed September 6, 1990; effective December 29, 1990. Repeal and new rule filed August 31, 2004; effective December 29, 2004. Public necessity rule filed June 3, 2005; effective through November 15, 2005. Amendment filed June 3, 2005; effective October 28, 2005.

1540-1-4.02 ELIGIBILITY.

- (1) A full-time employee of the State of Tennessee or a member of the General Assembly shall be eligible to enroll in one course per term at any state supported college, university or technology center, or the Tennessee Foreign Language Institute without paying the tuition charge, maintenance fee, student activity fee, or registration fee.
- (2) Eligibility for the fee waiver shall be determined as of the respective Institutions' or TFLI's first day of classes for the term. To receive the fee waiver, the Employee or the member of the General Assembly must be eligible for enrollment at the Institution for which a fee waiver is sought according to the academic rules and regulations of the Institution or the TFLI. The employee must also have six months or more of continuous service as a full-time employee to receive the fee waiver. A change in employment status after the first day of classes will affect eligibility for the fee waiver only for subsequent terms.

Authority: T.C.A. § 8-50-114. **Administrative History:** Original rule filed September 6, 1990; effective December 29, 1990. Repeal and new rule filed August 31, 2004; effective December 29, 2004.

1540-1-4.03 LIMITATIONS.

- (1) Fee waivers are limited to one course per term. Fees will not be waived for non-credit or correspondence courses. Employees are not eligible for fee waivers at more than one Institution per term. For the purposes of this paragraph, the term "Institution" shall include the TFLI.
- (2) Fees and charges which will not be waived include the cost of books or other course materials which are retained by the student, application fees, off-campus facilities fees, parking fees, traffic fines, and fees assessed that are applied to the cost of the course or which directly support the department offering the course such as applied music fees, lab fees, fees assessed to offset the cost of offering distance education courses or courses offered in a particular discipline.

(Rule 1540-1-4-.03 (continued))

- (3) Fees will not be waived for programs for which part-time or course by course enrollment is prohibited as determined by the Institutions. Examples include, but are not limited to, programs of law, medicine, dentistry, pharmacy, and veterinary medicine.
- (4) The fee waiver program described in this Chapter may not be used in conjunction with any other fee waiver or discount program.
- (5) At the time of enrollment, the Employee must have a completed state employee fee waiver form signed by his or her employer certifying that the applicant is a full-time employee with at least six months of continuous service. Forms are available at the higher education institutions or on the Commission's website, <www.state.tn.us/thec>.
- (6) Enrollment may be limited or denied by the college, university, technology center, or the TFLI on an individual basis according to space availability.
- (7) No tuition paying student shall be denied enrollment in a course because of state employee enrollments pursuant to this Act.
- (8) Rights and privileges provided to full-time employees of the state university and community college system and the University of Tennessee pursuant to T.C.A. § 49-7-116 shall not be affected or diminished by the Act.
- (9) The Higher Education Commission shall develop a methodology for allocating appropriations to reimburse Institutions and the TFLI for fees waived pursuant to this program.

Authority: T.C.A. § 8-50-114. **Administrative History:** Original rule filed September 6, 1990; effective December 29, 1990. Repeal and new rule filed August 31, 2004; effective December 29, 2004.

1540-1-4-.04 APPEAL PROCEDURES.

Appeals regarding the determination of eligibility of the applicant will be available in a manner consistent with institutional procedures now in place for admissions decisions.

Authority: T.C.A. § 8-50-114. **Administrative History:** Original rule filed September 6, 1990; effective December 29, 1990. Repeal and new rule filed August 31, 2004; effective December 29, 2004.

1540-1-4-.05 REPEALED.

Authority: T.C.A. § 8-50-114. **Administrative History:** Original rule filed September 6, 1990; effective December 29, 1990. Repeal and new rule filed August 31, 2004; effective December 29, 2004.